

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

**CITY OF HUNTINGTON, WEST  
VIRGINIA,**

**Plaintiff,**

**vs.**

**AMERISOURCEBERGEN DRUG  
CORPORATION, *ET AL.*,**

**Defendants.**

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**CASE NO. 3:17-CV-01362**

**CABELL COUNTY COMMISSION,**

**Plaintiff,**

**vs.**

**AMERISOURCEBERGEN DRUG  
CORPORATION, *ET AL.*,**

**Defendants.**

**CASE NO. 3:17-CV-01665**

**NOTICE**

Pending before the Court are several motions filed by the parties that concern discovery disputes that arose prior to the entry of the Conditional Remand Order by the United States Judicial Panel on Multidistrict Litigation. The undersigned has been assigned to hear all discovery related matters that have arisen and will arise in these cases and has scheduled numerous weekly conferences with counsel for the parties to address these issues. Having reviewed the voluminous materials concerning the initial discovery disputes, and noting that the amount of time necessary to assist the parties in these civil actions, it has become apparent that the appointment of a special master would prove beneficial to the parties in these matters, as had been the case when these proceedings were pending before the United States District Court for the Northern District of Ohio.

Accordingly, the undersigned hereby provides this Notice, and an opportunity to be heard by the filing of pleadings, to the parties pursuant to Rule 53(b) of the Federal Rules of Civil Procedure that a recommendation will be made to the District Court that a special master be appointed in these proceedings. The parties are further notified that any responses, suggestions and objections to this Notice should address the parties' positions as to the efficacy of the Court appointing the previous Special Master, David R. Cohen and further address the parties' position as to whether the parties consent, pursuant to 28 U.S.C. § 636(c)(1), to the jurisdiction of the undersigned Magistrate Judge to hear all appeals from any rulings made by the special master. All responses to this this Notice shall be filed no later than **February 14, 2020**.

The Clerk is requested to send a copy of this Order to all counsel of record.

**ENTER: February 7, 2020.**



A handwritten signature in blue ink, reading "Omar J. Aboulhosn".

Omar J. Aboulhosn  
United States Magistrate Judge